

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:

**Oscar Anibal Rodriguez
Virginia Ivelisse Genao-Santana**

Debtors

Case No. 17-33494-KLP
Chapter 13

LAKEVIEW LOAN SERVICING,

Movant,

v.

OSCAR ANIBAL RODRIGUEZ and
VIRGINIA IVELISSE GENAO-SANTANA

Debtors/Respondents,

and

SUZANNE E. WADE,

Trustee/Respondent.

**DEBTORS' RESPONSE AND OPPOSITION TO
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

The Debtors/Respondents, Oscar Anibal Rodriguez and Virginia Ivelisse Genao-Santana, by counsel, hereby file this Response and Opposition to Lakeview Loan Servicing, LLC's (the "Movant") Motion for Relief from the Automatic Stay, and they therefore state as follows:

1. The allegations contained in paragraphs one through five of the Motion are admitted.
2. The Debtors/Respondents deny the allegations contained in paragraph six of the Motion, and they hereby demand strict proof thereof.
3. The allegations contained in paragraph seven of the Motion are admitted.

4. Paragraph eight of the motion does not call for a response, as it does not allege facts.
5. The Debtors/Respondents deny the allegations contained in paragraph nine of the Motion, and they hereby demand strict proof thereof.
6. The Debtors/Respondents assert that they are not in default on payments to the Movant, and no cause for relief from the automatic stay exists. Counsel for the Debtors/Respondents has reached out to Counsel for the Movant to request a payment history and/or other evidence of default, but Counsel for the Movant has not responded to that request.

WHEREFORE, the Debtors/Respondents pray that this Honorable Court deny the Movant's Motion for Relief from Automatic Stay and grant any further relief this Court deems appropriate.

Respectfully submitted this 23rd day of October 2019.

Respectfully submitted,

OSCAR ANIBAL RODRIGUEZ
VIRGINIA IVELISSE GENAO-SANTANA
By Counsel

NEW DAY LEGAL, PLLC

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CERTIFICATE OF SERVICE

I certify that I have, this 23rd day of October 2019, transmitted, via ECF or by regular mail, a true copy of the foregoing Response and Opposition to Motion for Relief from the Automatic Stay to:

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/s/ Scott W. Carpenter
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